

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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ANTHONY DURHAM, MARY GRIGONIS  
and RANDYE GOLDENBERG,

Plaintiffs,

- against -

FAMILY SERVICE LEAGUE, INC.,  
ROBERTA KARANT, JAMES LACKNER,  
MADELINE KANE, REINHARDT VAN DYKE,  
KAREN BOORSSTEIN and DIANE HODGE,

Defendants.  
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**ORDER**

CV 08-4645 (AKT)

**A. KATHLEEN TOMLINSON, Magistrate Judge:**

Before the Court are (1) Defendants' motion for leave to move for partial dismissal [DE 21], and (2) Defendants' motion [DE 34] for partial dismissal of Plaintiffs' Second Amended Complaint pursuant to Rule 12(b)(6) or, in the alternative, a motion for judgment on the pleadings pursuant to Rule 12(c), or for summary judgment pursuant to Rule 56 (the "Motion to Dismiss"). Plaintiffs oppose [DE 36] the Motion to Dismiss. Having reviewed the papers submitted by counsel for both sides, and having heard oral argument from both sides, I am granting, in part, Defendants' Motion to Dismiss. A written decision will be issued subsequently. Defendants' motion for leave to file [DE 21] is hereby deemed moot.

**SO ORDERED.**

Dated: Central Islip, New York  
March 31, 2010

/s/ A. Kathleen Tomlinson  
A. KATHLEEN TOMLINSON  
U.S. Magistrate Judge